



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 10

1200 Sixth Avenue, Suite 900
Seattle, Washington 98101-3140

FEB - 4 2009

Reply To: OCE-082

Bob Hayden
Upper Skagit Indian Tribe
5984 North Darrk Lane
Bow, Washington 98232

Re: Upper Skagit Indian Tribe Water Reclamation Facility

Dear Mr. Hayden:

The U.S. Environmental Protection Agency, Region 10 (EPA), Underground Injection Control (UIC) Program is in receipt of an Inventory of Injection Wells and proposal for two Class V injection wells planned for the Upper Skagit Indian Tribe Water Reclamation Facility. Wilson Engineering, LLC, provided these materials to EPA on October 7, 2008 and December 8, 2008. EPA has reviewed the information and is providing comments for your consideration. Once EPA receives a response to the comments set out below, the agency will make a final determination on the proposed injection activity and whether the proposal can be authorized by rule or requires a permit.

Direct Injection into Underground Source of Drinking Water

1. The inventory submittal proposes direct injection of up to 6 million gallons of reclamation plant effluent per month (200,000 gallons per day) into the Vashon Advance Outwash geologic unit. The Vashon Advance Outwash is an underground source of drinking water (USDW) that supplies public and residential drinking water. Direct injection into a USDW requires an operator meet all federal primary drinking water standards at the point of injection. See 40 C.F.R. §§ 144.12(a) and 144.82. Your proposal only addresses the design standards for biological oxygen demand, total suspended solids, turbidity, total coliform, and total nitrogen in the wastewater effluent to be injected. The injectate must meet all primary drinking water standards.
2. The Vashon Advance Outwash aquifer is reported to be unconfined. The proposed injection well design specifies that the base of the injection wells will be located 140 feet below ground surface to allow for a 20-foot separation distance between the points of discharge at the base of the injection wells and the top of the saturated zone at approximately 160 feet below ground surface. However, the well logs provided for monitoring wells 2A and 2B (the wells located closest to the proposed injection wells) show that ground water was detected at 45 feet below ground surface in both wells when the wells were drilled. In addition, the well logs document that the Vashon Glacial Till (the formation overlying the Vashon Advance Outwash) and Vashon Glacial Outwash units are moist to wet in monitoring wells 2A and 2B. Ground water was not measured in wells 2A and 2B during monitoring events in June – September 2008, but monitoring data collected at other times of the year or in conjunction with storm events are not included in the inventory submittal. Saturated conditions within the geologic units or

possible fluctuations of the water table may impact the operation of the proposed injection wells and could have an impact on the design-specified 20-foot separation distance.


3. Four monitoring wells were installed during the site investigation and design phase of this project. If injection occurs at this site, additional monitoring wells would be necessary to evaluate potential impacts to the USDW from the injection operations. At other reclamation plants of similar design, at least one monitoring well is installed in an up-gradient direction, to establish background water quality, and a line of monitoring wells are typically installed down-gradient from the injection point at locations where they are most likely to intercept the injected effluent.
4. If injection occurs at this site, a quality assurance plan for sampling and analysis should be established. The sampling and analysis plan should be designed to evaluate whether injection activities introduce contaminants into the USDW.

Reclamation Plant Design and Operation

5. The design plan for the proposed reclamation plant does not account for effluent storage during monitoring verification to ensure the injectate meets all primary drinking water standards prior to injection.
6. The proposal suggests that you will receive waste from third-party facilities not affiliated with the Upper Skagit Indian Tribe. The Upper Skagit Indian Tribe will be responsible for maintaining records of written manifests documenting the nature and composition of all wastes received for disposal, including statements documenting that the waste is exempt from regulation as hazardous waste under 40 C.F.R. § 261.4.
7. In the event of system failure, the proposal calls for storage of 200,000 gallons of effluent in an equalization basin, with any additional effluent directed to the Burlington wastewater treatment facility. The proposal also explains that the existing sewer main that would convey effluent to the Burlington wastewater treatment plant is insufficient to handle the projected flow. The effluent must be managed appropriately to ensure that any injectate not meeting primary standards is properly managed and not injected.

If you have any questions or would like to schedule a meeting to discuss the items listed above, please contact me at (206) 553-1900.

Sincerely,



Jennifer Parker
Environmental Scientist



UPPER SKAGIT INDIAN TRIBE

25944 Community Plaza Way • Sedro-Woolley, WA 98284

Phone (360) 854-7000 • Fax (360) 854-7004

March 23, 2009

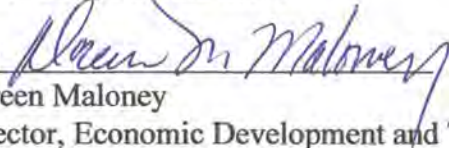
Ms. Jennifer Parker
Ground Water Unit
U. S. Environmental Protection Agency, Region 10
1200 Sixth Avenue, Suite 900, OCE-082
Seattle, Washington 98101

Re: Upper Skagit Indian Tribe, Proposed Water Reclamation Facility
Response to February 4, 2009 EPA Comment Letter

Dear Ms. Parker,

Please accept the enclosed response, on behalf of the Upper Skagit Indian Tribe, to your letter of February 4, 2009. As you will note the Tribe has relied upon Wilson Engineering to respond to the technical concerns the EPA has raised in regarding the proposed project. If there are any additional technical questions please contact the Tribe's representative for this project, Mr. Bob Hayden. Although the Tribe does not anticipate that any additional concerns should arise, if they do the Tribe would request a government to government consultation to resolve said issues.

Sincerely,
Upper Skagit Indian Tribe

By: 
Doreen Maloney
Director, Economic Development and Treaty Entitlements
Upper Skagit Reservation

cc: Tribal Council





March 6, 2009



Ms. Jennifer Parker
Ground Water Unit
U. S. Environmental Protection Agency, Region 10
1200 Sixth Avenue, Suite 900, OCE-082
Seattle, Washington 98101
Phone: 206-553-1900

Re: Upper Skagit Indian Tribe, Proposed Water Reclamation Facility
Response to February 4, 2009 EPA Comment Letter

Dear Ms. Parker:

In response to the referenced EPA Comment Letter and as we discussed in the February 4, 2009 meeting we offer the following additional information and clarification.

EPA Comment No. 1

The proposed water reclamation plant effluent is intended to meet the federal primary drinking water standards (Standards). The water source for the Upper Skagit Indian Tribe (USIT) is Skagit County PUD No.1 Water Supply System (Water System). The Water System is regulated by the Washington State Department of Health (DOH) and monitored to demonstrate compliance with the federal primary drinking water standards. The water quality monitoring requirements for the Water System are attached. There are EPA approved State Waivers for many of the Standards established by sampling records, absence of industrial sources, and related historical experience and information. The Waivers are applicable to every source in the State. The Waivers are issued in recognition that if there is no asbestos pipe in the system then asbestos is not tested, if there are no chemical factories then certain synthetic chemicals are not tested, and if agricultural is not practiced associated herbicides are not tested.

The Proposed Water Reclamation Facility (Facility) will receive solely domestic wastewater and there are no industrial or agricultural wastewater sources for this proposal. Compliance with the Standards will be demonstrated by matching the Skagit PUD Water System monitoring requirements for primary drinking water constituents.

EPA Comment No. 2

During the meeting Figure 5, the geological cross-section, was reviewed to clarify the 40 foot vertical and 600 foot horizontal separation (minimum distances) between the point of discharge and the Vashon Advance Outwash aquifer. Also the attached long term monitoring data demonstrates that the aquifer level and the above listed 40 foot and 600 foot separations between the effluent discharge point and the aquifer do not fluctuate seasonally. See attached hydrographs for MW-1, MW-3, and DW-1. Hydrographs for MW-2A and MW-2B are not included because these two monitor wells have remained dry throughout the monitoring period.

The travel time of the effluent to the nearest wells exceeds 1 year as shown by the wellhead protection areas plotted on the October 2008 *Subsurface Injection Evaluation Technical Report, Figure 1*. The wellhead protection area boundaries are heavy bold dashed lines that represent 10 year time of travel for wellhead protection zones. These DOH approved wellhead protection zones illustrate that as the aquifer flows south its horizontal velocity slows down significantly as it approaches the flat terrain adjacent to the Samish River.

EPA Comment No. 3

Typically, three down-gradient monitoring wells are sufficient to monitor aquifer water quality. Two additional monitor wells will be installed to supplement the monitoring provided by existing monitor wells MW-1 & MW-3, providing a total of four down-gradient monitoring wells. An up-gradient monitor well is not possible as the aquifer does not exist up-gradient to the discharge as shown on Figure 5 of the Subsurface Injection Evaluation Technical Report.

EPA Comment No. 4

A quality assurance plan for sampling and analysis will be established.

EPA Comment No. 5

Water treatment and water reclamation plants use continuous monitoring of turbidity and trans-membrane pressure (TMP) differential as the real-time indicators of the treatment effectiveness and membrane integrity. In the event these parameters indicate a water quality problem, the effluent flow will be diverted to the equalization basin which will ultimately overflow into the Burlington WWTP collection system, if problem persists.

EPA Comment No. 6

The nature and composition of waste from any third party source will be documented to confirm that it is exempt for regulation as hazardous waste under 40 CFR 261.4.



EPA Comment No. 7

Equalization provided by the proposed Facility will reduce peak hourly flow rates so that the existing sewer main capacity is sufficient to carry all projected flow rates.

Please review at your earliest convenience.
Do not hesitate to call if any additional information is needed.

Sincerely,
Wilson Engineering, LLC



Jeffrey G. Christner, P.E.

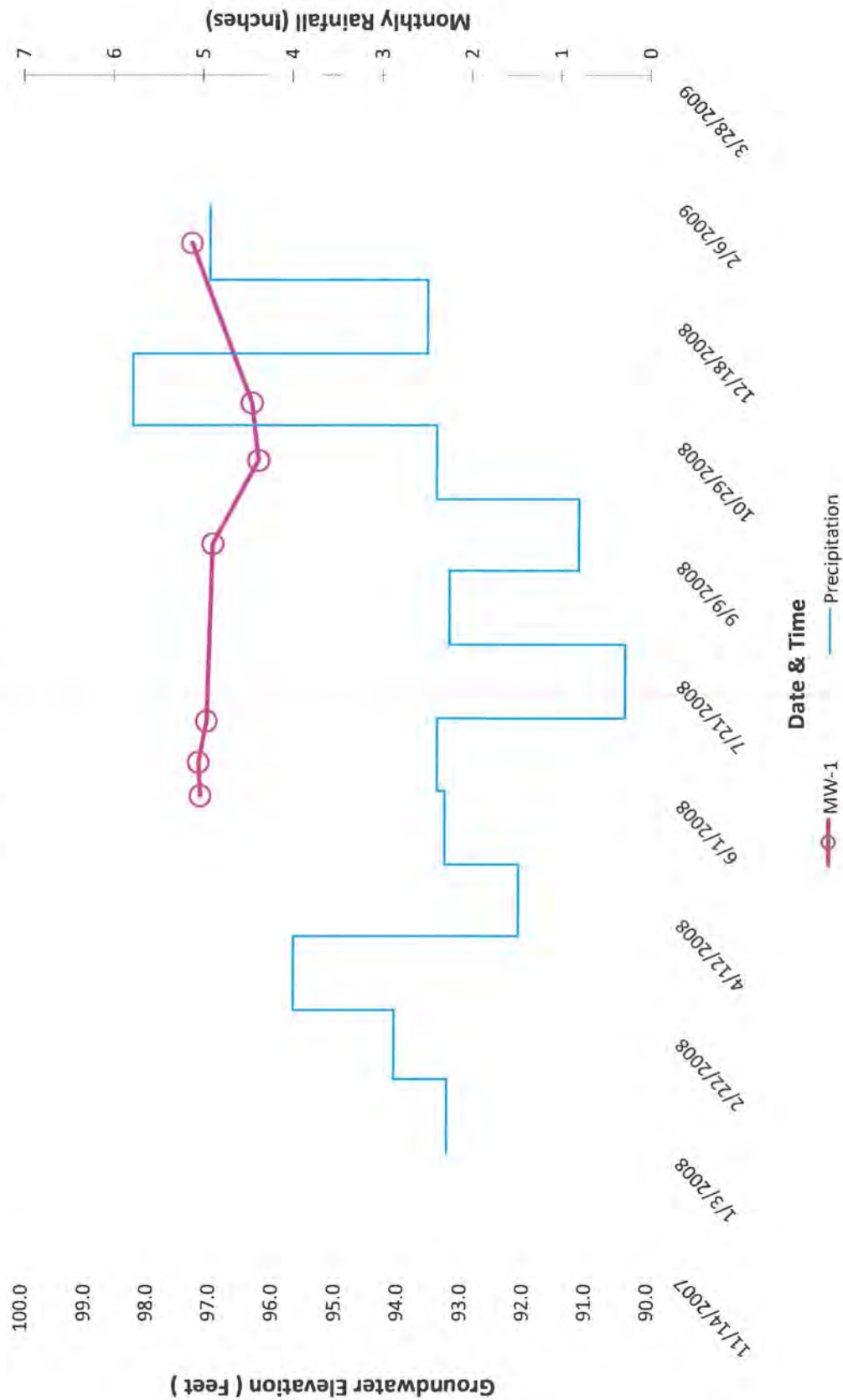
cc: Bob Hayden, Corporate Proj. Manager, Upper Skagit Indian Tribe, 5984 N. Darrk Lane, Bow, WA 98232

Attachments:

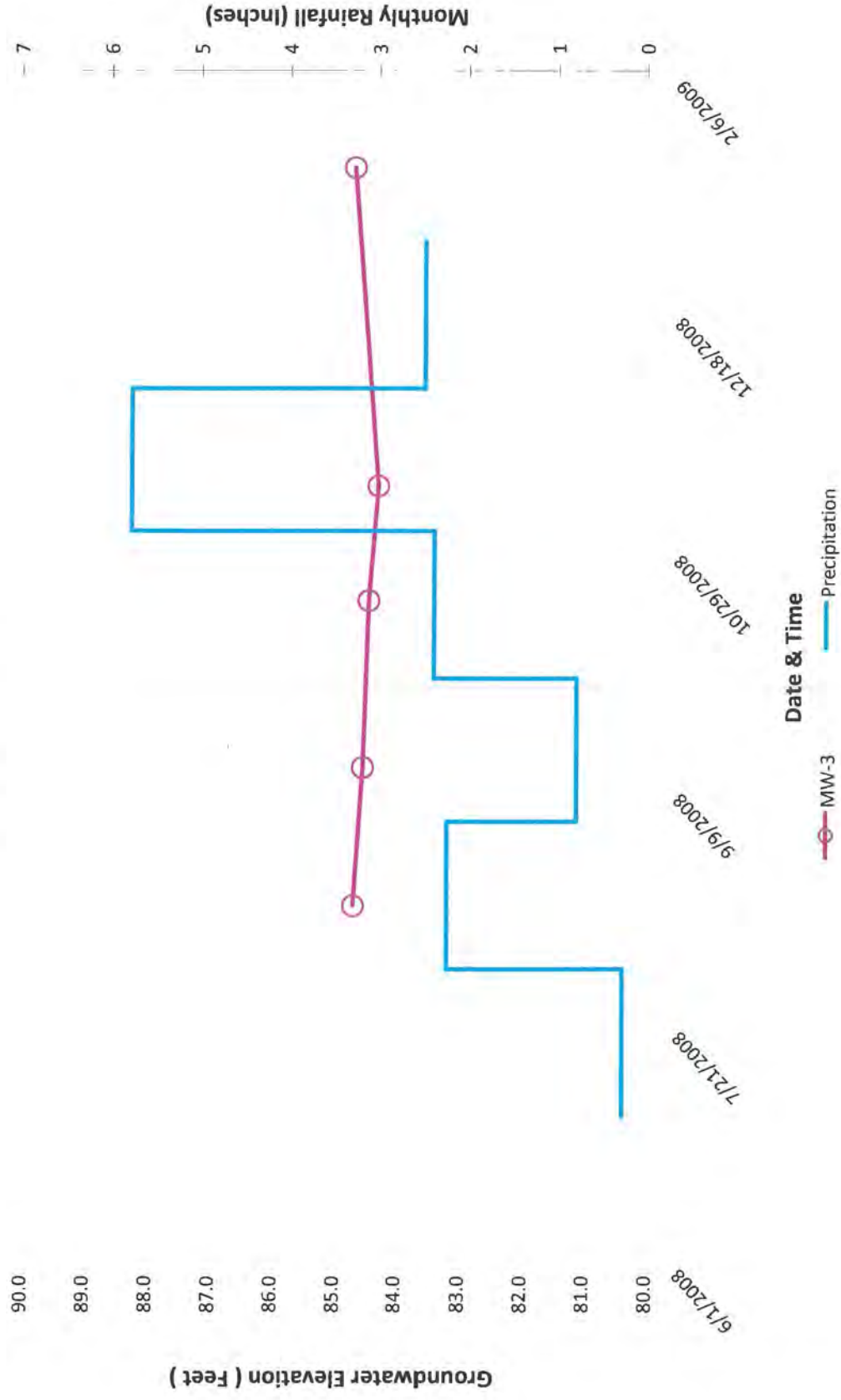
- Skagit County PUD No.1 Water Quality Monitoring Report
- MW-1 Hydrograph
- MW-3 Hydrograph
- DW-1 Hydrograph



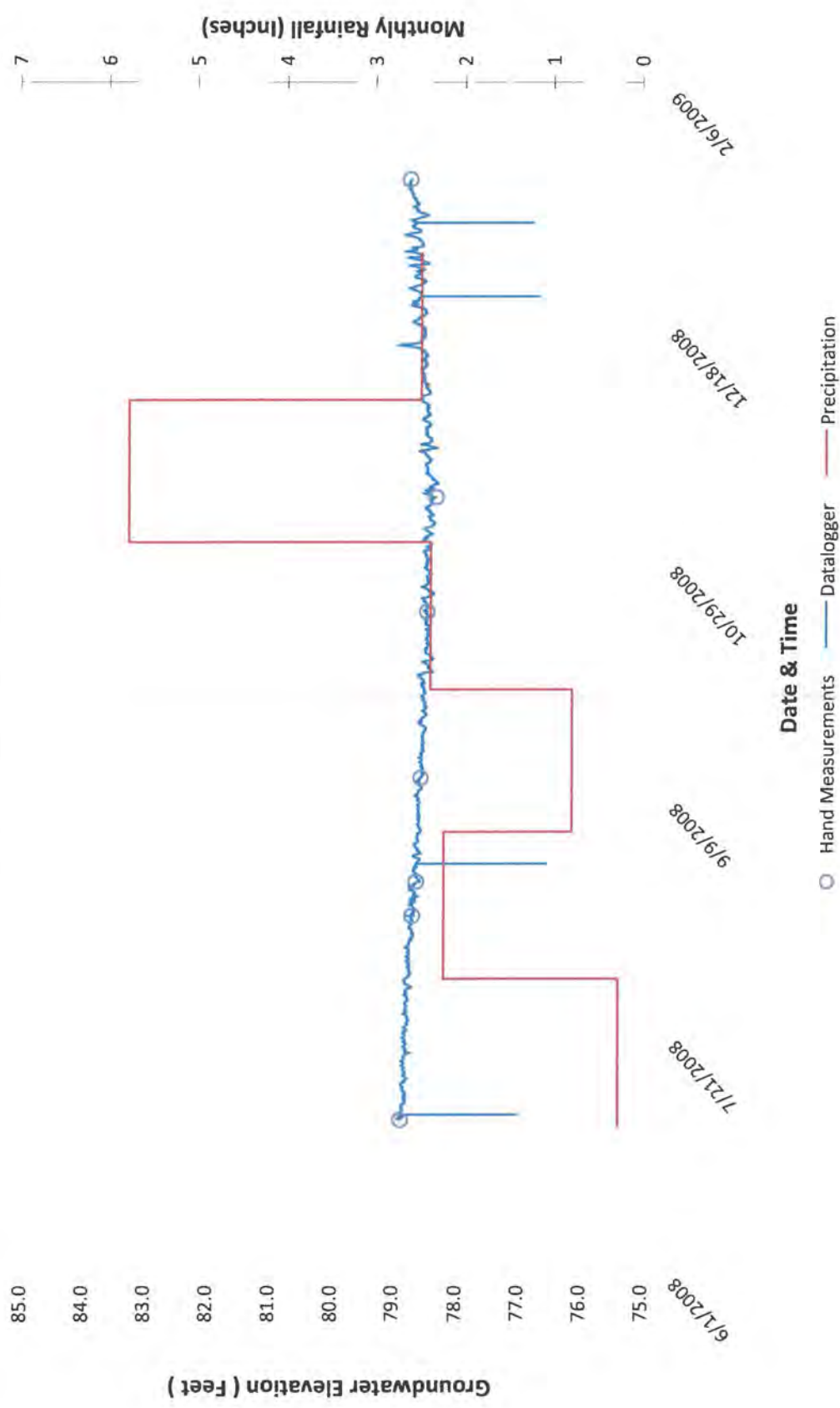
MW-1 Hydrograph



MW-3 Hydrograph



DW-1 Hydrograph



COMMISSIONERS
AL LITTLEFIELD, PRESIDENT
JIM COOK, VICE PRESIDENT
ROBBIE ROBERTSON, SECRETARY

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GENERAL MANAGER
JULIA A. ANDERSON, AUDITOR
MARK E. FREDLUND, TREASURER

GREGORY J. PETERKA
ENGINEERING MANAGER

PUBLIC UTILITY DISTRICT NO. 1

*of
Skagit County*

1415 FREEWAY DRIVE • MOUNT VERNON, WASHINGTON 98273-2492

P.O. BOX 1436 • MOUNT VERNON, WASHINGTON 98273-1436

PHONE (360) 424-7104 • FAX (360) 424-8764

FACSIMILE TRANSMITTAL LETTER

TO: Jeff

FAX NO.: 733-6100

REPRESENTING: _____

NAME OF DOCUMENT: -Judy Syp - IOC, Voc &

Bacteriological Results

SENT BY: Darlene Holmstrom

DATE: 2-10-09

TOTAL NUMBER OF PAGES INCLUDING THIS PAGE: 5

REMARKS: If you need further info at

anytime, please call & I will

help

Thanks, Darlene

Should you have problems with this transmission,
please contact 360 424-7104



Burlington WA 1620 S Walnut St - 98233
Corporate Office 800.755.9295 • 360.757.1400 • 360.757.1402fax
Bellingham WA 805 Orchard Dr Suite 4 - 98225
Microbiology 360.671.0688 • 360.671.1577fax

INORGANIC COMPOUNDS (IOC) REPORT

Client Name: Skagit PUD NO. 1
P O Box 1436
Mount Vernon, WA 98273

Reference Number: 08-08422
Project: Compliance

System Name: SKAGIT COUNTY PUD #1 - JUDY RES
System ID Number: 79500E
DOH Source Number: 01
Multiple Sources:
Sample Type: A - After treatment
Sample Purpose: C - Compliance
Sample Location: Judy Res. Pumpstation
County: Skagit

Sample Number: S01
Lab Number: 04618039
Collect Date: 6/23/2008
Date Received: 6/23/2008
Report Date: 7/2/2008
Sampled By: Darlene
Sampler Phone: 424-7104
Peer Review:

DOH#	ANALYTES	RESULTS	UNITS	SRL	Trigger	MCL	Analyst	METHOD	COMMENT
	EPA Regulated								
4	ARSENIC	ND	mg/L	0.002	0.010	0.010	mvp	200.8	
5	BARIUM	ND	mg/L	0.100	2	2	mvp	200.8	
6	CADMIUM	ND	mg/L	0.002	0.005	0.005	mvp	200.8	
7	CHROMIUM	ND	mg/L	0.010	0.1	0.1	mvp	200.8	
11	MERCURY	ND	mg/L	0.0002	0.002	0.002	ccn	245.1	
12	SELENIUM	ND	mg/L	0.005	0.05	0.05	mvp	200.8	
110	BERYLLIUM	ND	mg/L	0.003	0.004	0.004	mvp	200.8	
111	NICKEL	ND	mg/L	0.040	0.1	0.1	mvp	200.8	
112	ANTIMONY	ND	mg/L	0.005	0.006	0.006	mvp	200.8	
113	THALLIUM	ND	mg/L	0.002	0.002	0.002	mvp	200.8	
116	CYANIDE, FREE	ND	mg/L	0.040	0.2	0.2	mak	SM4500-CN F	
19	FLUORIDE	ND	mg/L	0.20	2	4	bj	300.0	
114	NITRITE-N	ND	mg/L	0.50	5	1	bj	300.0	
20	NITRATE-N	ND	mg/L	0.50	5	10	bj	300.0	
161	TOTAL NITRATE/NITRITE	ND	mg/L	0.50	5	10	bj	300.0	
	EPA Regulated (Secondary)								
8	IRON	ND	mg/L	0.100	0.3	0.3	bj	200.7	
10	MANGANESE	ND	mg/L	0.010	0.05	0.05	mvp	200.8	
13	SILVER	ND	mg/L	0.010	0.05	0.05	mvp	200.8	
24	ZINC	ND	mg/L	0.200	5	5	mvp	200.8	
21	CHLORIDE	ND	mg/L	20	250	250	bj	300.0	
22	SULFATE	ND	mg/L	10	250	250	bj	300.0	
	State Regulated								
17	TURBIDITY	0.11	NTU	0.05	1.0	1.0	ccn	180.1	
14	SODIUM	8.50	mg/L	50			bj	200.7	
15	HARDNESS	17.2	mg CaCO ₃ /L	10			bj	200.7	
16	ELECTRICAL CONDUCTIVITY	81.9	uS/cm	10	700	700	ccn	SM2510 B	
18	COLOR	ND	Color Units	5	15	15	ccn	SM2120 B	
	State Unregulated								
9	LEAD	ND	mg/L	0.002		0.015	mvp	200.8	
23	COPPER	ND	mg/L	0.020		1.3	mvp	200.8	

NOTES:

SRL (State Reporting Level): Indicates the minimum reporting level required by the Washington Department of Health (DOH).

MCL (Maximum Contaminant Level): maximum permissible level of a contaminant in water established by EPA; Federal Action Levels are 0.015 mg/L for Lead and 1.3 mg/L for Copper. Sodium has a recommended limit of 20 mg/L. A blank MCL value indicates a level is not currently established.

Trigger Level: DOH Drinking Water Response level. Systems with compounds detected in excess of this level are required to take additional samples. Contact your regional DOH office.

ND (Not Detected): indicates that the parameter was not detected above the Specified Reporting Limit (SRL).

NA (Not Analyzed): indicates that this parameter was not analyzed.

Comments:



11525 Knudson Rd.
Burlington, WA 98233
(800) 755-9285
(360) 767-1400 - FAX (360) 767-1402

Page 1 of 2

VOLATILE ORGANIC COMPOUNDS (VOC) REPORT

Client Name: Skagit PUD NO. 1
P O Box 1436
Mount Vernon, WA 98273

Reference Number: 06-15363

Project: Compliance

System Name: SKAGIT COUNTY PUD #1 - JUDY RES
System ID Number: 79500E
DOH Source Number: 01
Multiple Sources:
Sample Type: D - Drinking Water
Sample Purpose: C - Compliance
Sample Location: Judy Reservoir Pumpstation
County: Skagit
Sampled By: Darlene
Sampler Phone:

Field ID:
Lab Number: 04632859
Date Collected: 11/22/2008
Date Extracted: 524_061129
Date Analyzed: 11/29/2006
Report Date: 12/5/2006
Analyst: JH
Supervisor: *[Signature]*

EPA Method 524.2 For State Drinking Water Compliance

DOH#	COMPOUNDS	RESULTS	Units	SRL	Trigger	MCL	COMMENT
	EPA/State Regulated						
45	VINYL CHLORIDE	ND	ug/L	0.5	0.5	2	
46	1,1 - DICHLOROETHYLENE	ND	ug/L	0.5	0.5	7	
47	1,1,1 - TRICHLOROETHANE	ND	ug/L	0.5	0.5	200	
48	CARBON TETRACHLORIDE	ND	ug/L	0.5	0.5	5	
49	BENZENE	ND	ug/L	0.5	0.5	5	
50	1,2 - DICHLOROETHANE	ND	ug/L	0.5	0.5	5	
51	TRICHLOROETHYLENE	ND	ug/L	0.5	0.5	5	
52	P - DICHLOROBENZENE	ND	ug/L	0.5	0.5	75	
56	METHYLENE CHLORIDE	ND	ug/L	0.5	0.5	6	
57	T - 1,2 - DICHLOROETHYLENE	ND	ug/L	0.5	0.5	100	
60	CIS - 1,2 - DICHLOROETHYLENE	ND	ug/L	0.5	0.5	70	
63	1,2 - DICHLOROPROPANE	ND	ug/L	0.5	0.5	5	
66	TOLUENE	ND	ug/L	0.5	0.5	1000	
67	1,1,2 - TRICHLOROETHANE	ND	ug/L	0.5	0.5	5	
68	TETRACHLOROETHYLENE	ND	ug/L	0.5	0.5	5	
71	CHLOROBENZENE	ND	ug/L	0.5	0.5	100	
73	ETHYLBENZENE	ND	ug/L	0.5	0.5	700	
74	M/P - XYLENE	ND	ug/L	0.5	0.5		
75	O - XYLENE	ND	ug/L	0.5	0.5		
76	STYRENE	ND	ug/L	0.5	0.5	100	
84	O - DICHLOROBENZENE	ND	ug/L	0.5	0.5	600	
95	1,2,4 - TRICHLOROBENZENE	ND	ug/L	0.5	0.5	70	
102	ETHYLENE DIBROMIDE (EOB)	ND	ug/L	0.02	0.02	0.05	Screening Only / PQL 0.5 ug/L
103	1,2-DIBROMO-3-CHLOROPROPANE	ND	ug/L	0.04	0.04	0.2	Screening Only / PQL 0.5 ug/L
160	TOTAL XYLENES	ND	ug/L	0.5	0.5	10000	
	EPA/State Unregulated						

A Result of "ND" indicates that the compound was not detected above the Lab's Method Detection Limit - MDL.

Maximum Contaminant Level, maximum permissible level of a contaminant in water established by EPA, NPDES, State Advisory Level (SAL) for Unregulated compounds.

A blank MCL or SAL value indicates a level is not currently established.

If a compound is detected > or = to the State Reporting Level, SRL, specified increased monitoring frequencies may occur per DOH.

Method Detection Limit is the lab's minimum concentration a compound can be measured and reported with 99% confidence that the compound concentration is greater than zero.

J - Estimated value.



Reference Number: 06-16363 Page 2 of 2

Lab Number: 04832859

Report Date: 12/6/2008

VOLATILE ORGANIC COMPOUNDS (VOC) REPORT

DQH#	COMPOUNDS	RESULTS	Units	SRL	Trigger	MCL	COMMENT
53	CHLOROMETHANE	ND	ug/L	0.5	0.5		
54	BROMOMETHANE	ND	ug/L	0.5	0.5		
55	CHLOROETHANE	ND	ug/L	0.5	0.5		
58	1,1 - DICHLOROETHANE	ND	ug/L	0.5	0.5		
59	2,2 - DICHLOROPROPANE	ND	ug/L	0.5	0.5		
62	1,1 - DICHLOROPROPENE	ND	ug/L	0.5	0.5		
64	DIBROMOMETHANE	ND	ug/L	0.5	0.5		
65	CIS - 1,3 - DICHLOROPROPENE	ND	ug/L	0.5	0.5		
69	TRANS - 1,3 - DICHLOROPROPENE	ND	ug/L	0.5	0.5		
70	1,3 - DICHLOROPROPANE	ND	ug/L	0.5	0.5		
72	1,1,1,2 - TETRACHLOROETHANE	ND	ug/L	0.5	0.5		
78	BROMOBENZENE	ND	ug/L	0.5	0.5		
79	1,2,3 - TRICHLOROPROPANE	ND	ug/L	0.5	0.5		
80	1,1,2,2 - TETRACHLOROETHANE	ND	ug/L	0.5	0.5		
81	O - CHLOROTOLUENE	ND	ug/L	0.5	0.5		
82	P - CHLOROTOLUENE	ND	ug/L	0.5	0.5		
83	M - DICHLOROBENZENE	ND	ug/L	0.5	0.5		
85	TRICHLOROFLUOROMETHANE	ND	ug/L	0.5	0.5		
86	BROMOCHLOROMETHANE	ND	ug/L	0.5	0.5		
87	ISOPROPYLBENZENE	ND	ug/L	0.5	0.5		
88	N - PROPYLBENZENE	ND	ug/L	0.5	0.5		
89	1,3,5 - TRIMETHYLBENZENE	ND	ug/L	0.5	0.5		
90	TERT - BUTYLBENZENE	ND	ug/L	0.5	0.5		
91	1,2,4 - TRIMETHYLBENZENE	ND	ug/L	0.5	0.5		
92	SEC - BUTYLBENZENE	ND	ug/L	0.5	0.5		
93	P - ISOPROPYLTOLUENE	ND	ug/L	0.5	0.5		
94	N - BUTYLBENZENE	ND	ug/L	0.5	0.5		
96	NAPHTHALENE	ND	ug/L	0.5	0.5		
97	HEXACHLOROBUTADIENE	ND	ug/L	0.5	0.5		
98	1,2,3 - TRICHLOROBENZENE	ND	ug/L	0.5	0.5		
104	DICHLORODIFLUOROMETHANE	ND	ug/L	0.5	0.5		
EPA Regulated - Under Trihalomethanes Program							
27	CHLOROFORM	21.7	ug/L				
28	BROMODICHLOROMETHANE	2.4	ug/L				
29	CHLORODIBROMOMETHANE	ND	ug/L				
30	BROMOFORM	ND	ug/L				
31	TOTAL TRIHALOMETHANE	24.1	ug/L	60	60	80	
State Unregulated - Other							
0	METHYL TERT-BUTYL ETHER	ND	ug/L				

A Result of "ND" indicates that the compound was not detected above the Lab's Method Detection Limit - MDL.

Maximum Contaminant Level, maximum permissible level of a contaminant in water established by EPA, NPDES, State Advisory Level (SAL) for Unregulated compounds.

A blank MCL or SAL value indicates a level is not currently established.

If a compound is detected > or = to the State Reporting Level, SRL, specified increased monitoring frequencies may occur per DQH.

Method Detection Limit is the lab's minimum concentration a compound can be measured and reported with 99% confidence that the compound concentration is greater than zero.

J - Estimated value.



Burlington WA 1620 S Walnut St - 98233
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 Bellingham WA 805 Orchard Dr Suite 4 - 98225
 Microbiology 360.671.0688 • 360.671.1577fax

Page 1 of 1

Washington State Department of Health WATER BACTERIOLOGICAL ANALYSIS

Client Name: Skagit PUD NO. 1
 P O Box 1436
 Mount Vernon, WA 98273

Reference Number: 09-01579
 Project: Compliance

System Name: SKAGIT COUNTY PUD #1 - JUDY RES
 System ID: 79500

Repeat Sample Number:
 Lab Number: 164-03300

DOH Source Number: 00 - Distribution Sample (Bacteria)

Field ID: 79500

Sample Type: D - Drinking Water

Date Collected: 2/3/09 09:30

Sample Purpose: C - Compliance

Date Received: 2/3/09

Sample Location: Bow Hill Rd TS

Date Analyzed: 2/04/09 11:30

County: Skagit

Report Date: 2/4/09

Sampled By: Darlene

Chlorine Res:

Comment: Cl2: 1.26

Sampler Phone: 360-424-7104

Peer Review:

DOH#	PARAMETER	RESULT	UNITS	Analyst	METHOD	COMMENT
1	TOTAL COLIFORM	Satisfactory, Coliforms Absent	per 100mL	as	SM9223 B	
3	E. COLI	Absent	per 100mL		SM9223 B	

If the sample is unsatisfactory you can get information at the following health department websites or phone numbers:

Island Co: <http://www.islandcounty.net/health/Envh/DrinkingWater/index.htm>

San Juan Co: <http://www.sanjuanco.com/health/ehswater.aspx>

Skagit Co: <http://www.skagitcounty.net/drinkingwater> or 360-336-9380

Snohomish Co: 425-339-5250

Whatcom Co: http://www.co.whatcom.wa.us/health/environmental/drinking_water/index.jsp

WSDOH: <http://www.doh.wa.gov/ehp/dw/Programs/coliform.htm>

NOTES:

If the result is Unsatisfactory a repeat sample is required for Public Water Systems. Private individuals should investigate the cause of the unsatisfactory result and resample.
 If E. Coli or Fecal Coliform are present in sample do not drink the water until it is properly treated.

1.26



"Bob Hayden"
<BobH@theskagit.com>
07/09/2009 09:46 AM

To: Jennifer Parker/R10/USEPA/US@EPA
cc:
bcc:
Subject: FW: Konica Scan

Jennifer-

Here is the correspondence as we discussed.

Bob



SCAN6042_000.pdf



5984 Darrk Lane
Bow, WA 98232
360-724-7777

Fax Cover Sheet

To: Jennifer Parker

Date: 7/9/09

Company: EPA

Fax: PARKER.JENNIFER@EPA.GOV

cc:

From: Bob Hayden

Phone: 360.724.0168

Fax: 360.724.0225

Number of pages including cover: 7

Jennifer-

I have attached a copy of the correspondence mailed out on 6/15/09 for your review. I apologize for the missing copy.

Please understand that time is of the essence on this matter and that anything that can be done to expedite the review would be greatly appreciated.

Please do not hesitate to contact either myself or Jeff Christianson (Wilson Engineering) with any questions or comments.

Thank you.

Bob Hayden
Upper Skagit Indian Tribe, Project Manager



UPPER SKAGIT INDIAN TRIBE

25944 Community Plaza Way • Sedro-Woolley, WA 98284
Phone (360) 854-7000 • Fax (360) 854-7004

June 15, 2009

Ms. Jennifer Parker
Grown Water Unit
U.S. Environmental Protection Agency, Region 10
1200 Sixth Avenue, Suite 900, OCE-082
Seattle, WA 98101

Re: Upper Skagit Indian Tribe's Response to EPA's February 4th Comment Letter

Dear Ms. Parker,

I write on behalf of the Upper Skagit Indian Tribe, a federally recognized Indian Tribe, as a follow up to our government to government meeting regarding the Tribe's proposed reclamation facility. During the course of our meeting there were a number of technical issues that arose and that our consultant Wilson Survey/Engineering will address in their response attached hereto and made a part hereof. The purpose of this letter is to confirm that the Upper Skagit Indian Tribe agrees with the Agency that an exception to the permit requirement through rule making is appropriate for this project. As you know the proposed facility will be operated by the Tribe and as such is substantially distinguishable from a private operator. The Tribe appreciates the Agency's recognition of the Tribe's sovereignty and its willingness to proceed with the rulemaking process. As you know time is of the essence and as such if there is anything that I can do to expedite the process please do not hesitate to contact me directly at (360) 854-7016.

Best Regards,

David Hawkins
Tribal Attorney



June 1, 2009

VIA REGULAR MAIL

Mr. Bob Hayden
Corporate Project Manager
Upper Skagit Indian Tribe
5984 N. Darrk Lane
Bow, WA 98232

Re: USIT Bow Hill Road Reservation, Proposed Water Reclamation Facility
Supplemental Response Information

Bob:

Enclosed is our supplemental response information for the EPA. This is provided to document the May 8, 2009 Meeting Agreement between EPA & USIT. It is our understanding that this letter will be supplemental to the March 6, 2009 Response Letter for the February 4, 2009 EPA Comment Letter.

Feel free to call if you have any questions.

Sincerely,

WILSON ENGINEERING, LLC

A handwritten signature in black ink, appearing to read "Jeffrey G. Christner".

Jeffrey G. Christner, P.E.

Attachment: Supplemental Response Information Letter dated June 1, 2009 for February 4, 2009 EPA
Comment Letter (4 pages total)

W:\2007\2007-101 Upper Skagit Tribe - WWTP Preliminary/Correspondence/EPA Response Transmittal LTR 2009 06 01.doc



June 1, 2009

Ms. Jennifer Parker
Ground Water Unit
U. S. Environmental Protection Agency, Region 10
1200 Sixth Avenue, Suite 900, OCE-082
Seattle, Washington 98101
Phone: 206-553-1900

Re: Upper Skagit Indian Tribe, Proposed Water Reclamation Facility
Supplemental Response Information to February 4, 2009 EPA Comment Letter

Dear Ms. Parker:

In response to the referenced EPA Comment Letter as discussed in the May 8, 2009 meeting we offer the following additional information and clarifications. Please include this supplemental information with the March 6, 2009 Response Letter, and let us know if further discussion is needed.

EPA Comment No. 1

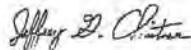
The proposed water reclamation plant effluent is intended to meet the federal primary drinking water standards (Standards). The treated effluent will be tested for compliance with Standards prior to placing the injection wells on-line. The proposed strategy is to start-up the new water reclamation facility and route all treated effluent into the Burlington Force Main. Then, after facility acceptance testing is complete the treated effluent is to be sampled for compliance with Standards on a weekly basis. After compliant results are obtained for two consecutive sampling periods, the treated effluent will be routed to the proposed injection wells. After initial weekly sampling period, the sampling frequency is to be adjusted to once per quarter for final three quarters of first year. During years 2 through 5, sampling frequency is to be adjusted to twice annually.

EPA Comment No. 3

An up-gradient monitor well will be installed; however, the hydrogeological report indicates that the aquifer does not exist up-gradient and proposed well will likely be dry. See attached site plan for proposed monitor well location.

Please review at your earliest convenience.
Do not hesitate to call if any additional information is needed.

Sincerely,
Wilson Engineering, LLC



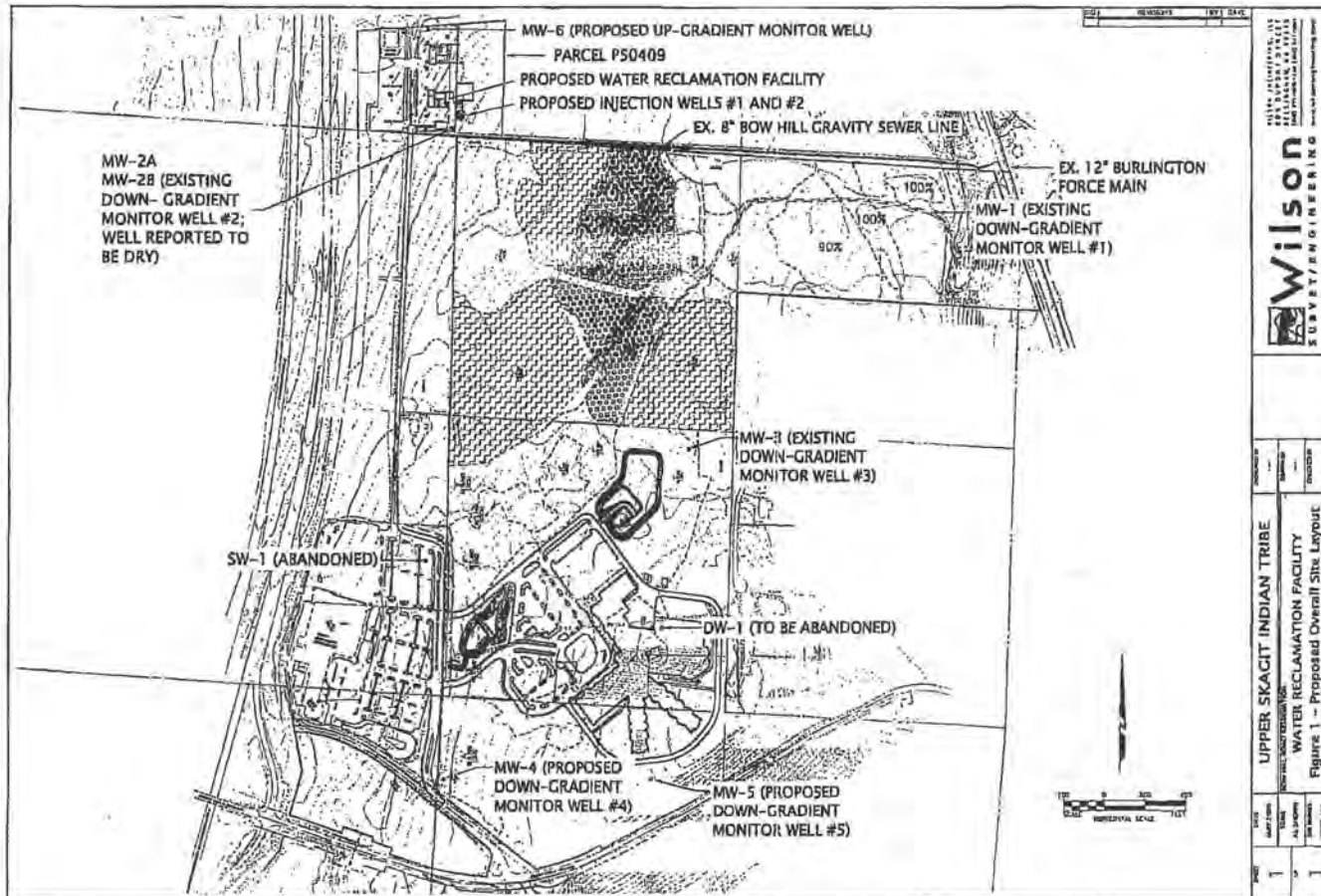
Jeffrey G. Christner, P.E.

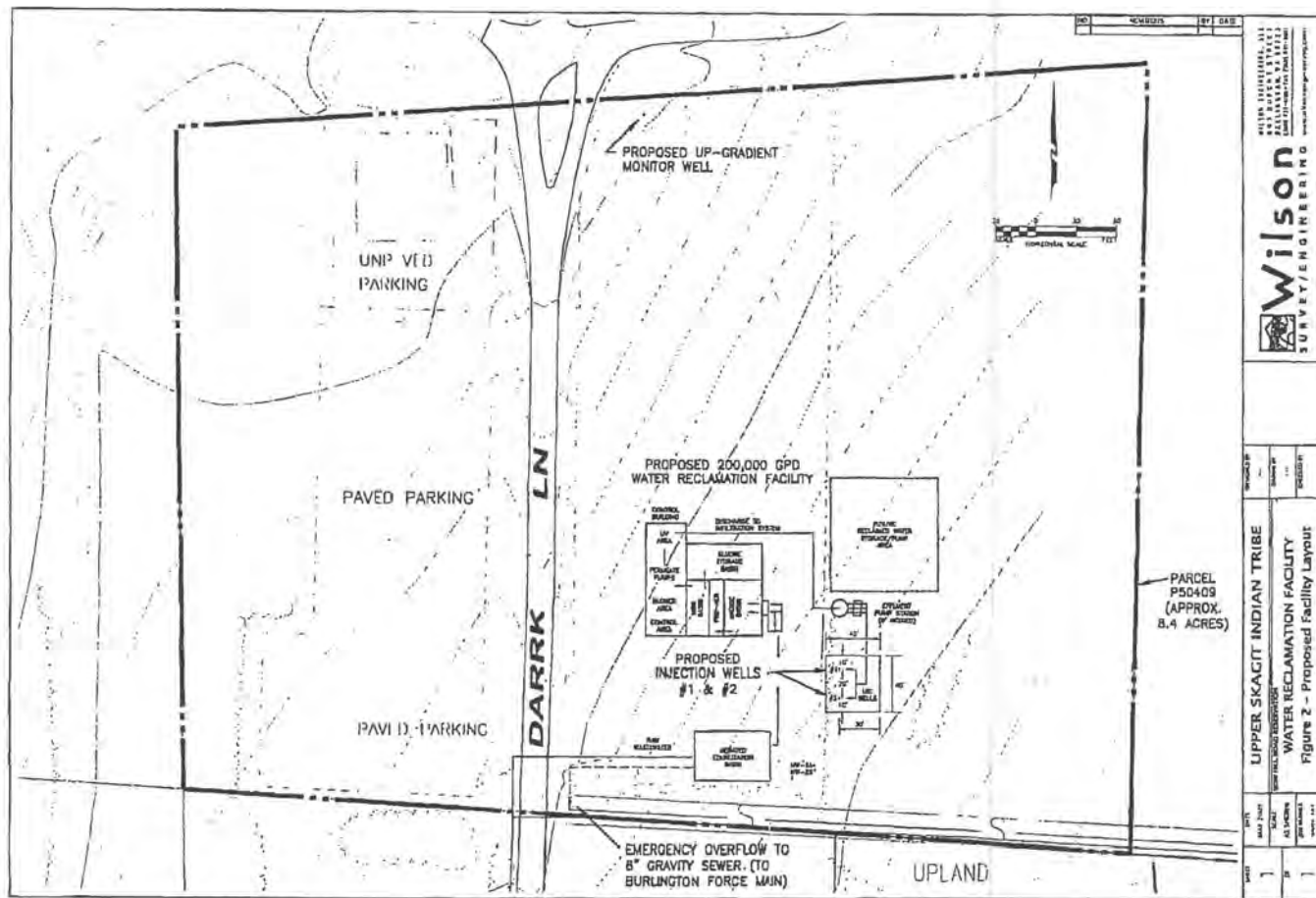
cc: Bob Hayden, Corporate Proj. Manager, Upper Skagit Indian Tribe, 5984 N. Darrk Lane, Bow, WA 98232

Attachments:

- Overall Site Layout with Existing and Proposed Monitor Well Locations
- Facility Layout with Proposed Up-Gradient Monitor Well Location







WILSON ENGINEERING, LLC
801 BAYVIEW AVENUE
SUITE 100
BURLINGTON, MA 01803
TEL: 978.689.1111
FAX: 978.689.1112
WWW.WILSONENGINEERING.COM

Wilson
SURVEY/ENGINEERING

NO.	DATE	DESCRIPTION	BY	CHKD
1	10/1/2011	ISSUED FOR PERMITTING	WILSON	WILSON
2	10/1/2011	REVISED	WILSON	WILSON
3	10/1/2011	REVISED	WILSON	WILSON



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 10

1200 Sixth Avenue, Suite 900
Seattle, Washington 98101-3140

JUL 17 2009

Reply To: OCE-082

Bob Hayden
Upper Skagit Indian Tribe
5984 North Darrk Lane
Bow, Washington 98232

Re: Underground Injection Control Program
Authorization by Rule of Two Injection Wells for Disposal of Wastewater Treatment
Plant Effluent, Upper Skagit Indian Tribe Water Reclamation Facility
UIC ID # WA425T5-17-13494

Dear Mr. Hayden:

The Environmental Protection Agency, Region 10 (EPA) Underground Injection Control (UIC) Program is in receipt of inventory information that was submitted by the Upper Skagit Indian Tribe and on your behalf by Wilson Engineering, LLC, for two new Class V injection wells proposed for use at the Upper Skagit Indian Tribe Water Reclamation Facility, 5984 N. Darrk Lane, Bow, Washington. The information was submitted in October and December 2008, with additional information provided in response to questions from EPA in March and July 2009.

EPA hereby authorizes by rule 2 Class V injection wells for disposal of treated wastewater effluent pursuant to the specifications proposed in the inventory submittal, as summarized below:

1. 2 injection wells will be installed for disposal of up to 200,000 gallons per day of wastewater treatment plant effluent from the Upper Skagit Indian Tribe Wastewater Reclamation Facility;
2. each injection well will be constructed as a 140-foot-deep drywell, injecting treated effluent into the Vashon Advance Outwash geologic unit, with a vertical separation distance of approximately 40 feet between the points of injection and the top of the unconfined aquifer within the advance outwash unit, or approximately 20 feet of vertical separation between the points of injection and the top of the confining layer of the geologic unit that exists below the advance outwash unit;
3. each injection well will be sized to inject the maximum daily flow of 200,000 gallons per day of treated wastewater effluent, but only one well will be operated at a time;
4. all of the wastewater will be generated at Upper Skagit Indian Tribe facilities within the Bow Hill Road Reservation;
5. the wastewater will be treated to meet all primary drinking water standards prior to injection and the Upper Skagit Indian Tribe will conduct regular monitoring to ensure that the injectate meets primary drinking water standards;

6. monitoring wells will be installed downgradient of the injection wells at points likely to intercept the injectate and they will be sampled regularly for total organic carbon and ground water quality parameters, including primary contaminants, secondary contaminants, radionuclides, and carcinogens, as defined by the State of Washington in Washington Administrative Code Chapter 173-200, to determine whether there are any unanticipated impacts to the aquifer from the injection activities;
7. a monitoring well will be installed upgradient of the injection wells for purposes of establishing background water quality, but it will only be used for monitoring purposes if ground water is present in large enough quantities for sampling;
8. in the event of wastewater treatment system failure, injection activity will stop and any wastewater effluent exceeding the storage capacity of the system will be disposed of through a nearby sewer system.

Thank you for submitting this inventory information. Two new wastewater treatment plant effluent disposal wells have been entered in the UIC inventory of injection wells for the Upper Skagit Indian Tribe Wastewater Reclamation Facility, listed under UIC facility identification number WA425T5-17-13494. The Upper Skagit Indian Tribe is responsible to meet all applicable UIC requirements under the Safe Drinking Water Act. All future correspondence related to these injection wells should include a reference to the assigned UIC facility identification number.

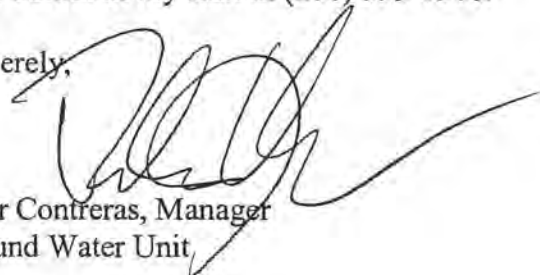
When the injection well construction is complete and the wells become active, you are required to notify EPA of the change in operational status. When you notify EPA of the change in status, please include final documentation of the injection well construction. Please note that any changes to the design of the injection wells or the type or quality of effluent to be injected may invalidate this authorization by rule for these two injection wells.

Any unauthorized discharges, including accidental spills, into the injection wells must be reported within twenty-four (24) hours of the event. Should any conditions change in the operation of these injection wells, the Upper Skagit Indian Tribe is required to notify EPA's Region 10 office within seven (7) days. All reporting and notifications should be addressed to:

**U. S. Environmental Protection Agency Region 10
Underground Injection Control Program
1200 Sixth Avenue, Suite 900, OCE-082
Seattle, Washington 98101**

If you have any questions, please contact Jennifer Parker of my staff at (206) 553-1900.

Sincerely,


Peter Contreras, Manager
Ground Water Unit